

Message Text

PAGE 01 STATE 186146

12

ORIGIN ACDA-10

INFO OCT-01 EUR-12 IO-10 ISO-00 ERDA-05 AF-06 ARA-06

CIAE-00 DODE-00 EA-06 PM-03 H-02 INR-07 L-03 NASA-01

NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01

OES-03 SS-15 USIA-06 SAJ-01 /118 R

DRAFTED BY ACDA/IR:DPBLACK/ACDA/NWT:RMIKULAK

APPROVED BY ACDA/IR:AFLOYD

ACDA/NWT:TDAVIES

S/P:WGATHRIGHT

C:JKELLY

NSC:DELLIOTT

EUR/RPM:DJONES

S/S :REWOODS

----- 107228

R 062258Z AUG 75

FM SECSTATE WASHDC

TO USMISSION GENEVA

USMISSION NATO

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L STATE 186146

E.O. 11652: GDS

TAGS: PARM, CCD, US, UR

SUBJECT: ENMOD - DRAFT TREATY TEXT

REFS: (A) NATO 4114; (B) GENEVA 6160; (C) STATE 183075;
(D) STATE 184166

1. WE ARE TRANSMITTING FYI RPT FYI TEXT OF DRAFT ENMOD
TREATY AS IT WOULD READ IF SOVIETS ACCEPTED CHANGES CONVEYED
REF (C) AND PROPOSED NO MORE OF THEIR OWN. IN THAT EVENT,
PER OUR PROPOSAL REF (D) THIS WOULD BE TEXT TO BE TABLED IN
CONFIDENTIAL

PAGE 02 STATE 186146

PARALLEL IN CCD, PRECEDING WHICH IT WOULD BE PASSED TO
ALLIES IN CCD AND NATO.

2. SINCE SOVIETS HAVE NOT YET RESPONDED DEFINITELY TO

REFS (C) AND (D), MISSIONS SHOULD NOT REVEAL TEXT TO ALLIES.
FURTHER INSTRUCTIONS CONCERNING CONSULTATIONS WILL FOLLOW
WHEN SOVIET RESPONSE RECEIVED.

3. DRAFT TREATY TEXT FOLLOWS:

BEGIN TEXT

---- CONVENTION ON THE PROHIBITION OF
---- MILITARY OR ANY OTHER HOSTILE USE OF
---- ENVIRONMENTAL MODIFICATION TECHNIQUES

THE STATES PARTY TO THIS CONVENTION,

GUIDED BY THE INTEREST OF CONSOLIDATING PEACE, AND WISH-
ING TO CONTRIBUTE TO THE CAUSE OF LIMITING THE ARMS RACE,
AND OF BRINGING ABOUT DISARMAMENT, AND OF SAVING MANKIND
FROM THE DANGER OF USING NEW MEANS OF WARFARE;

RECOGNIZING THAT SCIENTIFIC AND TECHNICAL ADVANCES MAY
OPEN NEW POSSIBILITIES WITH RESPECT TO MODIFICATION OF THE
ENVIRONMENT;

REALIZING THAT MILITARY USE OF ENVIRONMENTAL MODIFICA-
TION TECHNIQUES COULD HAVE WIDESPREAD, LONG-LASTING OR
SEVERE EFFECTS HARMFUL TO HUMAN WELFARE, BUT THAT THE USE
OF ENVIRONMENTAL MODIFICATION TECHNIQUES FOR PEACEFUL PUR-
POSES COULD IMPROVE THE INTERRELATIONSHIP OF MAN AND NA-
TURE AND CONTRIBUTE TO THE PRESERVATION AND IMPROVEMENT OF
THE ENVIRONMENT FOR THE BENEFIT OF PRESENT AND FUTURE GEN-
ERATIONS;

DESIRING TO LIMIT THE POTENTIAL DANGER TO MANKIND FROM
MEANS OF WARFARE INVOLVING THE USE OF ENVIRONMENTAL MODI-
FICATION TECHNIQUES;

DESIRING ALSO TO CONTRIBUTE TO THE STRENGTHENING OF
TRUST AMONG NATIONS AND TO THE FURTHER IMPROVEMENT OF THE
INTERNATIONAL SITUATION IN ACCORDANCE WITH THE PURPOSES
CONFIDENTIAL

PAGE 03 STATE 186146

AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS,

HAVE AGREED AS FOLLOWS:

---- ARTICLE I

1. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NOT
TO ENGAGE IN MILITARY OR ANY OTHER HOSTILE USE OF ENVIRON-
MENTAL MODIFICATION TECHNIQUES HAVING WIDESPREAD, LONG-
LASTING OR SEVERE EFFECTS AS THE MEANS OF DESTRUCTION,
DAMAGE OR INJURY TO ANOTHER STATE PARTY.

2. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES NOT

TO ASSIST, ENCOURAGE OR INDUCE ANY STATE, GROUP OF STATES
OR INTERNATIONAL ORGANIZATION TO ENGAGE IN ACTIVITIES CON-
TRARY TO THE PROVISION OF PARAGRAPH 1 OF THIS ARTICLE.

----- ARTICLE II

AS USED IN ARTICLE I, THE TERM "ENVIRONMENTAL MODIFICA-
TION TECHNIQUES" REFERS TO ANY TECHNIQUE FOR CHANGING--
THROUGH THE DELIBERATE MANIPULATION OF NATURAL PROCESSES--

THE DYNAMICS, COMPOSITION OR STRUCTURE OF THE EARTH, IN-
CLUDING ITS BIOTA, LITHOSPHERE, HYDROSPHERE, AND ATMOS-
PHERE, OR OF OUTER SPACE, SO AS TO CAUSE SUCH EFFECTS AS
EARTHQUAKES AND TSUNAMIS, AN UPSET IN THE ECOLOGICAL BAL-
ANCE OF A REGION, OR CHANGES IN WEATHER PATTERNS (CLOUDS,
PRECIPITATION, CYCLONES OF VARIOUS TYPES AND TORNADIC
STORMS), IN THE STATE OF THE OZONE LAYER OR IONOSPHERE, IN
CLIMATE PATTERNS, OR IN OCEAN CURRENTS.

----- ARTICLE III

THE PROVISIONS OF THIS CONVENTION SHALL NOT HINDER THE
USE OF ENVIRONMENTAL MODIFICATION TECHNIQUES FOR PEACEFUL
PURPOSES BY STATES PARTY, OR INTERNATIONAL ECONOMIC AND
SCIENTIFIC COOPERATION IN THE UTILIZATION, PRESERVATION
AND IMPROVEMENT OF THE ENVIRONMENT FOR PEACEFUL PURPOSES.

----- ARTICLE IV
CONFIDENTIAL

PAGE 04 STATE 186146

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES, IN
ACCORDANCE WITH ITS CONSTITUTIONAL PROCESSES, TO TAKE ANY
NECESSARY MEASURES TO PROHIBIT AND PREVENT ANY ACTIVITY IN
VIOLATION OF THE PROVISIONS OF THE CONVENTION ANYWHERE
UNDER ITS JURISDICTION OR CONTROL.

----- ARTICLE V

1. THE STATES PARTY TO THIS CONVENTION UNDERTAKE TO CON-
SULT ONE ANOTHER AND TO COOPERATE IN SOLVING ANY PROBLEMS
WHICH MAY ARISE IN RELATION TO THE OBJECTIVE OF, OR IN THE
APPLICATION OF THE PROVISIONS OF THIS CONVENTION. CONSUL-
TATION AND COOPERATION PURSUANT TO THIS ARTICLE MAY ALSO BE
UNDERTAKEN THROUGH APPROPRIATE INTERNATIONAL PROCEDURES
WITHIN THE FRAMEWORK OF THE UNITED NATIONS AND IN ACCORD-
ANCE WITH ITS CHARTER.

2. ANY STATE PARTY TO THIS CONVENTION WHICH FINDS THAT
ANY OTHER STATE PARTY IS ACTING IN BREACH OF OBLIGATIONS
DERIVING FROM THE PROVISIONS OF THE CONVENTION MAY LODGE A
COMPLAINT WITH THE SECURITY COUNCIL OF THE UNITED NATIONS.
SUCH A COMPLAINT SHOULD INCLUDE ALL POSSIBLE EVIDENCE CON-

FIRMING ITS VALIDITY, AS WELL AS A REQUEST FOR ITS CONSIDERATION BY THE SECURITY COUNCIL.

3. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO COOPERATE IN CARRYING OUT ANY INVESTIGATION WHICH THE SECURITY COUNCIL MAY INITIATE, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE UNITED NATIONS, ON THE BASIS OF THE COMPLAINT RECEIVED BY THE COUNCIL. THE SECURITY

COUNCIL SHALL INFORM THE STATES PARTY TO THE CONVENTION OF THE RESULTS OF THE INVESTIGATION.

4. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO PROVIDE OR SUPPORT ASSISTANCE, IN ACCORDANCE WITH THE UNITED NATIONS CHARTER, TO ANY PARTY TO THE CONVENTION WHICH SO REQUESTS, IF THE SECURITY COUNCIL DECIDES THAT SUCH PARTY HAS BEEN HARMED OR IS LIKELY TO BE HARMED AS A RESULT OF VIOLATION OF THE CONVENTION.
CONFIDENTIAL

PAGE 05 STATE 186146

----- ARTICLE VI

1. ANY STATE PARTY MAY PROPOSE AMENDMENTS TO THIS CONVENTION. THE TEXT OF ANY PROPOSED AMENDMENT SHALL BE SUBMITTED TO (BLANK FOR DEPOSITARY, WHICH COULD BE US, USSR, AND POSSIBLY OTHERS, OR UN SYG) WHICH SHALL CIRCULATE IT TO ALL STATES PARTY.

2. AN AMENDMENT SHALL ENTER INTO FORCE FOR ALL STATES PARTY WHICH HAVE ACCEPTED IT, UPON THE DEPOSIT WITH (EITHER "A MAJORITY OF STATES PARTY INCLUDING THE DEPOSITARY GOVERNMENTS" IF THE US AND USSR ARE DEPOSITARIES OR IF THEY ARE NOT DEPOSITARIES, "TWO-THIRDS OF THE STATES PARTY.") THEREAFTER IT SHALL ENTER INTO FORCE FOR ANY REMAINING STATE PARTY ON THE DATE OF DEPOSIT OF ITS INSTRUMENTS OF ACCEPTANCE.

----- ARTICLE VII

THIS CONVENTION SHALL BE OF UNLIMITED DURATION.

----- ARTICLE VIII

1. THIS CONVENTION SHALL BE OPEN TO ALL STATES FOR SIGNATURE. ANY STATE WHICH DOES NOT SIGN THE CONVENTION BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH (3) OF THIS ARTICLE MAY ACCEDE TO IT AT ANY TIME.

2. THIS CONVENTION SHALL BE SUBJECT TO RATIFICATION BY SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND INSTRUMENTS OF ACCESSION SHALL BE DEPOSITED WITH (BLANK FOR DEPOSITARY).

3. THIS CONVENTION SHALL ENTER INTO FORCE AFTER THE DEPOSIT OF INSTRUMENTS OF RATIFICATION BY (BLANK FOR NUMBER) GOVERNMENTS ("INCLUDING THE DEPOSITARIES" IF US AND USSR ARE DEPOSITARIES) WITH PARAGRAPH 2 OF THIS ARTICLE.

4. FOR THOSE STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED AFTER THE ENTRY INTO FORCE OF
CONFIDENTIAL

PAGE 06 STATE 186146

THIS CONVENTION, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE (BLANK FOR DEPOSITARY) SHALL PROMPTLY INFORM ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR OF ACCESSION AND THE DATE OF THE ENTRY INTO FORCE OF THIS CONVENTION, AND OF THE RECEIPT OF OTHER NOTICES.

6. THIS CONVENTION SHALL BE REGISTERED BY (BLANK FOR DEPOSITARY) IN ACCORDANCE WITH ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

----- ARTICLE IX

THIS CONVENTION, THE CHINESE, ENGLISH, FRENCH, RUSSIAN, AND SPANISH TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED WITH (BLANK FOR DEPOSITARY) WHO SHALL SEND CERTIFIED COPIES THEREOF TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES.

IN WITNESS WHEREOF, THE UNDERSIGNED, DULY AUTHORIZED THERETO, HAVE SIGNED THIS CONVENTION.

DONE IN (BLANK FOR PLACE) ON (BLANK FOR DATE).

END TEXT. KISSINGER

CONFIDENTIAL

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ENMOD, AGREEMENT DRAFT, TEXT, ARMS CONTROL MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE186146
Document Source: ADS
Document Unique ID: 00
Drafter: ACDA/IR:DPBLACK/ACDA/NWT:RMIKULAK
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D750272-0685
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750899/baaaarip.tel
Line Count: 259
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUN 2003 by ShawDG>; APPROVED <27 OCT 2003 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: PARM, US, UR, CCD
To: GENEVA
NATO INFO MOSCOW
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006